



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

CNC
F. #2013R00948

*610 Federal Plaza
Central Islip, New York 11722*

May 21, 2014

By Federal Express & ECF

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Re: United States v. Philip Kenner & Tommy C. Constantine
Criminal Docket No. 13-607(JFB)

Dear Counsel:

Enclosed please find discovery provided by the government in accordance with Rule 16 of the Federal Rules of Criminal Procedure. This discovery supplements the discovery provided on January 16, 2014, January 23, 2014, February 10, 2014, March 6, 2014, March 11, 2014, March 24, 2014 and April 11, 2014. The government renews its request for reciprocal discovery.

Enclosed herein please find two (2) DVDs. One DVD contains copies of financial records from (a) Johnson Bank (bates-numbered BNK-JB 1-2434); (b) U.S. Bank (bates-numbered BNK-USB 1-789); (c) Wells Fargo (bates-numbered BNK-WF 1-2115); and (d) the Federal Reserve Bank (bates-numbered BNK-FED 1-169).

The second DVD contains the search warrant application and warrant for Kenner's home in Scottsdale, Arizona (bates-numbered SW 1-78). It also contains various documents compiled by the government into binders for each of the charged schemes (bates-numbered BINDER 1-504). The "BINDER" documents

include, but are not limited to, financial records, contracts, operating agreements, court records, correspondence and email correspondence, including emails sent or received by the defendants. Some of the documents in the binders have been redacted in their entirety, as they consist of government work product. Many of the documents in the binders have been previously produced to the defendants in discovery.

The government will continue to provide discovery. Please do not hesitate to contact me if you have any questions or requests.

Very truly yours,

LORETTA E. LYNCH
United States Attorney

By: /s/Carrie N. Capwell
Carrie N. Capwell
Assistant U.S. Attorney
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Enclosures

cc: Clerk of the Court (JFB) (by ECF) (without enclosures)